

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

1) RACHEL TUDOR,

Plaintiff,

vs.

Case No. CIV- 22-480-SLP

1) MARIE E. GALINDO, an individual

2) BRITTANY M. NOVOTNY, an individual

3) JILLIAN T. WEISS, an individual

4) EZRA I. YOUNG, an individual, and

5) TRANSGENDER LEGAL DEFENSE

**AND EDUCATION FUND, a Non-Profit
CORPORATION,**

Defendants.

COMPLAINT

COMES NOW the Plaintiff, Rachel Tudor (hereinafter “Tudor”), and for her causes of action against attorneys Marie E. Galindo (“Galindo”), Brittany M. Novotny (“Novotny”), Jillian T. Weiss (“Weiss”), Ezra I. Young (“Young”), and the Transgender Legal Defense and Education Fund (“TLDEF”)(collectively the “Defendants”), alleges and states as follows:

1. Tudor is a resident of the city of Plano, Collin County, state of Texas.
2. Defendant Galindo is an individual residing in the city of Austin, Travis County, state of Texas. Galindo served as Tudor’s attorney in certain litigation in the Western District of Oklahoma, styled *Rachel Tudor, Plaintiff v. Southeastern Oklahoma State University (“SE”) and the Regional University System of Oklahoma (“RUSO”)*, Case no. CIV-324-C.
3. Defendant Novotney is an individual residing in the city of Oklahoma City,

Oklahoma County, state of Oklahoma. Novotney served as Tudor's attorney in certain litigation in the Western District of Oklahoma, styled *Rachel Tudor, Plaintiff v. Southeastern Oklahoma State University ("SE") and the Regional University System of Oklahoma ("RUSO")*, Case no. CIV-324-C.

4. Defendant Weiss is an individual residing in the city of Brooklyn, Kings County, state of New York. Weiss served as Tudor's attorney in certain litigation in the Western District of Oklahoma, styled *Rachel Tudor, Plaintiff v. Southeastern Oklahoma State University ("SE") and the Regional University System of Oklahoma ("RUSO")*, Case no. CIV-324-C.

5. Defendant Young is an individual residing in the city of Ithaca, Tomkins County, state of New York. Young served as Tudor's attorney in certain litigation in the Western District of Oklahoma, styled *Rachel Tudor, Plaintiff v. Southeastern Oklahoma State University ("SE") and the Regional University System of Oklahoma ("RUSO")*, Case no. CIV-324-C.

6. The TLDEF is a New York not-for-profit corporation which provides legal services for deserving persons. During pertinent times herein, attorneys for the TLDEF served as Tudor's attorney in certain litigation in the Western District of Oklahoma, styled *Rachel Tudor, Plaintiff v. Southeastern Oklahoma State University ("SE") and the Regional University System of Oklahoma ("RUSO")*, Case no. CIV-324-C.

7. This action relates to a fund of earned attorney fees owed to the Defendants as a whole, as a result of settling the identified litigation. Pursuant to the settlement with SE and the RUSO of \$1,725,000.00, and a certain Retainer Agreement dated May 18, 2017, Tudor is obligated to pay one-third (33 1/3%) of that amount, which equals

\$574,425.00 for attorney fees (the "Fund").

8. The Defendants have conflicting claims to the Fund. Tudor is now and at all times been ready and willing to pay the contracted attorney fees to the Defendants who are legally entitled to the proceeds, but has not been able to do so because of the Defendants' conflicting claims.

9. Plaintiff has been compelled to employ attorneys and pay court costs for the purpose of protecting her interest arising out of these conflicting claims.

10. Jurisdiction is proper pursuant to Title 28, U.S.C. §1335. Venue is proper in the United States District Court for the Western District of Oklahoma, pursuant to Title 28, U.S.C. §1397.

WHEREFORE, Plaintiff requests this Court to order the following relief:

1. That the Defendants be ordered to interplead and settle among themselves their respective rights to the Fund.
2. That upon payment of the Fund to the Clerk of this Court, that the Court discharge Plaintiff from any claim of any of these Defendants for attorney fees associated with the litigation and/or the Retainer Agreement.
3. That the Court enter a restraining Order enjoining and restraining Defendants from prosecuting any suit or proceeding against Tudor in any state or federal court regarding attorney fees associated with the litigation and/or the Retainer Agreement, until further order of this Court.
4. That the Defendants be ordered to appear and show cause 1) why Plaintiff should not be discharged from this action upon her payment of the Fund to the Clerk of this Court; 2) why Defendants should not be permanently

enjoined from making any claims against Tudor for attorney fees associated with the litigation and/or the Retainer Agreement, and 3) why Plaintiff should not be awarded her costs and attorney fees to be paid from the Fund.

Respectfully submitted,

s/ Jerry L. Colclazier
Jerry L. Colclazier, OBA #13814
COLCLAZIER & ASSOCIATES
404 North Main Street
Seminole, OK 74868
Telephone: (405) 382-1212
Facsimile: (405) 382-1214
jerry@colclazier.com

ATTORNEY FOR PLAINTIFF